



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carl M. Mendel

Serial No. : 10/828,607

Filed: April 21, 2004

Entitled: TREATMENT OF FIBROMYALGIA

Attorney Docket No. BBC-128/1

ART UNIT: 1614

EXAMINER: Cook, Rebecca

Mail Stop Petition

Commissioner for Patents

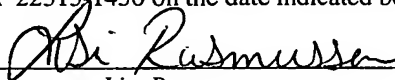
P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

The undersigned hereby certifies that this correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10, postage prepaid, Express Mailing Label No. EQ443612465US, in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

date of mailing and signature



Lisa Rasmussen

TRANSMITTAL LETTER

Sir/Madam:

Transmitted herewith are: [X] Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b) – Form PTO/SB/64(in duplicate); [X] Request for Continued Examination (RCE) Transmittal (in duplicate); [X] Terminal Disclaimer to Obviate a Double Patenting Rejection over a "Prior" Patent; [X] Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b); [X] Preliminary Amendment with Exhibit 1; and [X] An Acknowledgement Postcard; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required. The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXCESS CLAIMS	RATE	FEES DUE
TOTAL CLAIMS			0	× \$18	= 0.00
INDEPENDENT			0	× \$84	= 0.00
FIRST INTRODUCTION OF MULT. DEPENDENT CLAIM				+\$280	= 0.00
TOTAL FEES DUE					= 0.00

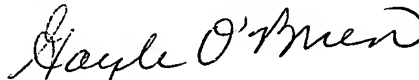
PAYMENT OF ADDITIONAL FEES

- [X] The Commissioner is hereby authorized to charge payment of the Request for Continued Examination (RCE) fee of \$790.00 required under 37 CFR 1.17(e) in connection with the paper(s) transmitted herewith, to **Deposit Account No. 010025**. A duplicate copy of this transmittal letter is transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of the Terminal Disclaimer fee of \$130.00 required under 37 CFR 1.20(d) in connection with the paper(s) transmitted herewith, to **Deposit Account No. 010025**. A duplicate copy of this transmittal letter is transmitted herewith.

PETITION FOR EXTENSION OF TIME

- [] Extension is requested under 37 CFR 1.136(a), and the following extension fee is applicable for the paper(s) filed herewith: [] \$120.00 for response within first month pursuant to 37 CFR 1.17(a)(1);
[] \$450.00 for response within second month pursuant to 37 CFR 1.17(a)(2);
[] \$1,020.00 for response within third month pursuant to 37 CFR 1.17(a)(3);
[] \$1,590.00 for response within fourth month pursuant to 37 CFR 1.17(a)(4).
[] \$2,160.00 for response within fifth month pursuant to 37 CFR 1.17(a)(5).
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to **Deposit Account No. 010025**. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Gayle B. O'Brien
Agent for Applicant
Registration No. 48,812
Abbott Bioresearch Center
100 Research Drive
Worcester, MA 01605-4314
Telephone: (508) 688-8053
Telefax: (508) 688-8110